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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/484,421 Confirmation No. : 9684  
Applicant : Martin DUBS, et al.  
Filed : January 18, 2000  
TC/A.U. : 1745  
Examiner : Gregg Cantelmo  
Docket No. : 080310.48561  
Customer No. : 23911  
Title : Sputter Chamber as Well as Vacuum Transport Chamber  
and Vacuum Handling Apparatus with Such Chambers

**PETITION TO WITHDRAW APPLICATION FROM**  
**ISSUE UNDER 37 C.F.R. § 1.313(b)(5)**

Mail Stop 313(c)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

VIA HAND CARRY

Sir:

Pursuant to 37 C.F.R. § 1.313, Applicants hereby petition for withdrawal of the above-identified U.S. patent application from issue. In support of this petition, Applicants allege as follows:

1. Applicants seek to withdraw this application from issue pursuant to 37 C.F.R. § 1.313(c)(1) due to the unpatentability of Claim 65 due to lack of antecedent basis for the term  $\Phi$  due to incorrect dependency as shown in the attached amendment. In addition, the relationship set forth in element (f) of Claim 61 is patently incorrect, and the term  $\Phi$  in Claim 66 is incorrect.

08/25/2004 HVUONG1 00000045 09484421

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130.00 0P

2. A check in the amount of \$130.00 is enclosed herewith as set forth in 37 C.F.R. § 1.17(i). Please charge any deficiency in this fee or credit any overpayments to Deposit Account No. 05-1323, Docket #: 080310.48561US.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323, Docket #: 080310.48561.

Respectfully submitted,



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James F. McKeown  
Registration No. 25,406

August 24, 2004

CROWELL & MORING LLP  
Intellectual Property Group  
P.O. Box 14300  
Washington, DC 20044-4300  
Telephone No.: (202) 624-2500  
Facsimile No.: (202) 628-8844



AUG 24 2004

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** **(\$)** **130.****Complete if Known**

Application Number	09/484,421
Filing Date	January 18, 2000
First Named Inventor	Martin DUBS
Examiner Name	Gregg Cantelmo
Art Unit	1745
Attorney Docket No.	080310.48561

**METHOD OF PAYMENT** (check all that apply)
 Check  Credit Card  Money  Other  None  
Order
 Deposit Account:

Deposit Account Number	05-1323
Deposit Account Name	Crowell & Moring LLP

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below  Charge any deficiency or credit any overpayments to the deposit account of the undersigned. Attorney Docket No. 080310.48561

 Charge any additional fee(s) during the pendency of this application.

 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Description	
1051 130	2051 65	Surcharge – late filing fee or oath	
1052 50	2052 25	Surcharge – late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examination action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive – unavoidable	
1453 1,330	2453 665	Petition to revive – unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1406 130	1460 130	Petitions to the Commissioner	130.
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) _____			

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)**

130.

\*\*or number previously paid, if greater; For Reissues, see above.

SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	James F. McKeown	Registration No. (Attorney/Agent)	25,406	Telephone 202-624-2500
Signature			Date	August 24, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450